



Crl.O.P.No.13669 of 2023

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**A.D.JAGADISH CHANDIRA, J.**

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC in Crime No.196 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that due to land dispute, the petitioner, along with other accused, has abused the defacto complainant and assaulted him with iron rod and wooden stick, thereby caused injuries to him. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the defacto complainant being adjacent land owner tried to grab his property, thereby often created problem with the petitioner's family. In fact, on 21.05.2023, the defacto complainant, along with henchmen, only abused and attacked the petitioner and his relatives, thereby caused injuries to them. He would further submit that on the complaint given by the petitioner's side, a counter case in Cr.No.197 of 2023 has been registered



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against the defacto complainant's side and thereby, he would seek for anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that on account of land dispute, there was a frequent quarrel between them resulting in case and the counter case being registered between the parties. Hence, he objects for the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel and perused the entire materials available on record including the First Information Report.

6.Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days



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from the date on which the order copy made ready, before the learned **Judicial Magistrate, Gingee, Villupuram District**, on condition that each of the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall stay at Chennai and report before the Inspector of Police, Kilpauk Police Station, Chennai, everyday at 10.30 a.m., until further orders.



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[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

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